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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/899,527	07/05/2001	James A. May	064814.0146	4617

7590
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12/11/2003

EXAMINER

PHAM, THOMAS K

ART UNIT	PAPER NUMBER
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2121

DATE MAILED: 12/11/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

8

Office Action Summary

Application No.

09/899,527

Applicant(s)

MAY ET AL.

Examiner

Thomas K Pham

Art Unit

2121

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 September 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3,4,6,7,8.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

Notice to Applicant(s)

1. Claims 1-20 of U.S. Application 09/899,527 filed on 07/05/2001 are presented for examination.

DETAILED ACTION

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Sharrow U.S. Patent No. 6,061,668.

Regarding claim 1

Sharrow teaches

An apparatus for managing a field asset comprising:

- at least one processor (col. 2 lines 66-67, “a central management computer 10”);
- memory operably coupled to the at least one processor (col. 5 lines 2-7, “The central management ... fault-tolerant storage”);
- a communications interface operably coupled to the processor and the memory (col. 3 lines 50-53, “its software is modified ... control its operation”);
- the communications interface operable to communicate with a controller board operably coupled to the field asset (col. 3 lines 48-50, “the controller in each ... network link”);

Art Unit: 2121

- a program of instructions storable in the memory and executable in the processor (col. 3 lines 58-63, “Microcontroller 30 is ... read only memory (EEPROM)”);
- the program of instructions operable to correct at least one field asset error condition and further operable to package uncorrected error conditions for transmission (col. 4 lines 36-45, “the incorporation of ... reported problems”);
- a wireless network interface operably coupled to the memory and the processor; and the wireless network interface operable to transmit the packaged error conditions to a network operations center via a wireless network (col. 3 lines 6-11, “The network type ... standardization reasons”)

Regarding claim 2

Sharrow teaches

- the program of instructions operable to poll the controller board to determine whether an error condition exists on the field asset (col. 6 lines 12-15, “The central management ... identification number”).

Regarding claim 3

Sharrow teaches

- the wireless network interface operable to receive commands from the network operations center transmitted via the wireless network (col. 6 lines 49-53, “The central management ... via network cable 11”); and
- the commands operable to correct at least one uncorrected error condition on the field asset (col. 6 lines 54-59, “the diagnostic capabilities ... account invoices”).

Regarding claim 4

Art Unit: 2121

Sharrow teaches

- the field asset including hardware operable to perform ice bagging and vending operations (col. 2 lines 28-31, “This system is designed ... entertainment products”).

Regarding claim 6

Sharrow teaches

- at least one sensor operably coupled to the memory and the processor (col. 3 lines 53-56, “Depending on the type ... and other devices”); and
- the at least one sensor operable to evaluate at least one characteristic of the field asset (col. 4 lines 39-42, “the use of an ... water leaks”).

Regarding claim 13

Sharrow teaches

A method for monitoring the operating status of a field asset comprising:

- coupling at least one monitoring device to a controller board of the field asset (col. 4 lines 36-38, “the incorporation of ... management computer”);
- determining, by the monitoring device, whether at least one error condition is present on the field asset (col. 4 lines 38-42, “Examples of such ... water leaks”);
- identifying whether an error condition present on the field asset is correctable by the monitoring device (col. 4 lines 42-45, “These diagnostic functions ... reported problems”);
- initiating a correction sequence, to be performed by the monitoring device, designed to correct at least one error condition identified as correctable by the monitoring device (col. 4 lines 18-28, “Modifications of the controller ... related features”);

Art Unit: 2121

- evaluating, by the monitoring device, whether the correction sequence was effective (col. 4 lines 55-58, “the capability to erase ... central management computer 10”);
- packaging uncorrected error conditions for transmission by the monitoring device; and transmitting the packaged error conditions to at least one destination over a wireless network (col. 7 lines 10-16, “While waiting to be ... request 604 is generated”).

Regarding claim 14

Sharrow teaches

- repeating the steps of initiating and evaluating a predetermined number of times (col. 3 lines 26-30, “In the event ... is repaired promptly”).

Regarding claim 15

Sharrow teaches

- polling, by the monitoring device, the field asset to determine whether at least one error condition is present on the field asset (col. 4 lines 51-53, “the ability to respond ... central management computer 10”).

Regarding claim 16

Sharrow teaches

- receiving, at a network operations center, the packaged and transmitted error conditions (col. 4 lines 62-67, “the capability to read ... central management computer 10”); and
- updating an Internet accessible database such that a technician can review at least one field asset for the presence of error conditions (col. 8 lines 27-41, “If any problems ... user in room #103”).

Regarding claim 17

Art Unit: 2121

Sharrow teaches

- notifying the technician of the error condition on the field asset (col. 4 lines 2-4, “Audible alert 33 ... is being presented”).

Regarding claim 20

Sharrow teaches

- the field asset having hardware operable to perform ice-bagging and vending operations (col. 2 lines 28-31, “This system is designed ... entertainment products”).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 5, 7-12 and 18-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sharrow in view of Courtney U.S. Patent No. 6,385,772.

Regarding claim 5

Sharrow teaches the wireless network interface operable to receive at least one command to correct at least one uncorrected error condition existing on the field asset but does not teach receiving at least one command from an Internet-enabled remote device. However, Courtney teaches receiving at least one command from an Internet-enabled remote device (col. 4 lines 36-42, “The monitoring apparatus 10 ... of the portable unit 46”). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the

Internet-enabled remote device of Courtney with the control system of Sharrow because it would provide for accessing the field asset remotely from anywhere there is an internet connection available in order to perform periodic check on the field asset, for security purposes”).

Regarding claim 7

Sharrow teaches a system for the Internet enabled management of a field asset comprising: a field asset having a controller board operable to detect at least one error condition present on the field asset (col. 3 line 58 to col. 4 line 4, “Microcontroller 30 is ... is being presented”); a monitoring device operably coupled to the field asset (col. 4 lines 36-38, “the incorporation of ... management computer”); the monitoring device including a processor, memory operably coupled to the processor, a communications interface operably coupled to the processor, the memory and the controller board and a wireless network interface operably coupled to the memory and the processor (col. 4 lines 51-67, “the ability to respond ... central management computer 10”); the communications interface operable to communicate with the field asset and the wireless network interface operable to communicate with a wireless network (col. 3 lines 48-53, “the controller in each ... control its operation”); a network operations center operably coupled to the wireless network (col. 3 lines 6-11, “The network type ... standardization reasons”); and the network operations center operable to receive alerts indicative of error conditions existing on the field asset from the monitoring device and the network operations center further operable to display at least one entry indicative of an error condition existing on the field asset (col. 4 lines 46-53, “the capability to display ... management computer 10”) but does not teach receiving alert indicative of error on an Internet-enabled remote device. However, Courtney teaches an Internet-enabled remote device (col. 4 lines 36-42, “The monitoring

Art Unit: 2121

apparatus 10 ... of the portable unit 46"). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the Internet-enabled remote device of Courtney with the control system of Sharrow because it would provide for accessing the field asset remotely from anywhere there is an internet connection available in order to perform periodic check on the field asset, for security purposes").

Regarding claim 8

Sharrow teaches the network operations center operable to communicate one or more control functions to the field asset in response to selection by a user from the remote device (col. 6 lines 42-46, "The central management ... suspend all operations").

Regarding claim 9

Sharrow teaches

- the monitoring device including a program of instructions storable in the memory and executable in the processor (col. 3 lines 58-63, "Microcontroller 30 is ... read only memory (EEPROM)"); and
- the program of instructions operable to initiate a sequence of instructions designed to correct at least one error condition present on the field asset (col. 4 lines 18-28, "Modifications of the controller ... related features").

Regarding claim 10

Sharrow teaches the program of instructions operable to package uncorrected error conditions for transmission to the network operations center over the wireless network (col. 6 lines 54-59, "the diagnostic capabilities ... account invoices").

Regarding claim 11

Art Unit: 2121

Sharrow teaches the program of instructions operable to poll the field asset to determine whether an error condition is present on the field asset (col. 6 lines 12-22, "The central management ... the card being used").

Regarding claim 12

Sharrow teaches the program of instructions operable to evaluate whether the sequence of instructions designed to correct the at least one error condition was effective (col. 4 lines 55-58, "the capability to erase ... central management computer 10"); and the program of instructions further operable to repeat the sequence of instructions designed to correct at least one error condition in response to a remaining error condition (col. 4 lines 18-28, "Modifications of the controller ... related features").

Regarding claim 18

Sharrow teaches sending a message indicative of the error condition for display but does not teach an Internet-enabled remote device. However, Courtney teaches an Internet-enabled remote device (col. 4 lines 36-42, "The monitoring apparatus 10 ... of the portable unit 46"). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the Internet-enabled remote device of Courtney with the control system of Sharrow because it would provide for accessing the field asset remotely from anywhere there is an internet connection available in order to perform periodic check on the field asset, for security purposes").

Regarding claim 19

Sharrow teaches initiating at least one command on the monitoring device to correct the error condition on the field asset in response to selection of the command (col. 4 lines 18-28,

Art Unit: 2121

“Modifications of the controller ... related features”) but does not teach receiving at least one command from an Internet-enabled remote device. However, Courtney teaches an Internet-enabled remote device (col. 4 lines 36-42, “The monitoring apparatus 10 ... of the portable unit 46”). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the Internet-enabled remote device of Courtney with the control system of Sharrow because it would provide for accessing the field asset remotely from anywhere there is an internet connection available in order to perform periodic check on the field asset, for security purposes”).

Conclusion

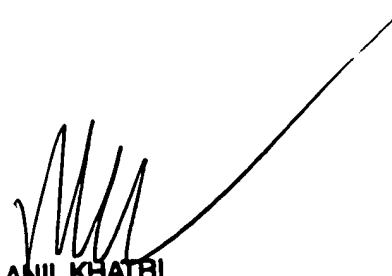
Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner *Thomas Pham*; whose telephone number is (703) 305-7587 and fax number is (703) 746-8874, Monday-Thursday and every other Friday from 7:30AM- 5:00PM EST or contact Supervisor *Mr. Anil Khatri* at (703) 305-0282.

Any response to this office action should be mailed to: **Director of Patents and Trademarks Washington, D.C. 20231**, or **Hand-delivered** responses should be brought to **Crystal Park II, 2121 Crystal Drive Arlington, Virginia, (Receptionist located on the 4th floor)**, or fax to the **official fax number (703) 872- 9306**.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Thomas Pham
Patent Examiner

TP
December 8, 2003


ANIL KHATRI
SUPERVISORY PATENT EXAMINER